

PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant:	RAGER ET AL.	)	
		)	Examiner W. Cumming
Appl. No.	10/717,255	)	
		)	Art Unit 2683
Confirm. No.	7757	)	
		)	Atty. Docket No. CS23709RL
Filed:	19 November 2003	)	
Title:	"Home Network Searching When Roaming In Wireless Communications Networks"		

**PRE-APPEAL BRIEF REVIEW REQUEST**

Assistant Commissioner for Patents  
Alexandria, Virginia 22313

Sir:

**Request for Review & Claims Pending**

The final Office action mailed on 19 October 2006 has been considered carefully. Pre-appeal brief review of the claims pending is requested respectfully. A notice of appeal has been filed concurrently. The claims have not been amended subsequent to the mailing of the subject final Office action. Claims 1-24 are pending.

## **Allowability of Claims Over Keshavacher**

### **Rejection Summary**

Claims 1-24 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5839069 (Keshavacher).

### **Allowability of Claim 1**

Regarding Claim 1, contrary to the Examiner's assertion, Keshavacher fails to disclose or suggest a

... method in a wireless communications device, the method comprising:

operating in a network other than a home network of the wireless communications device;

determining whether to search for the home network of the wireless communications device when not operating in the home network by comparing network record information associated with the network in which the mobile wireless communications device is operating to reference information.

Keshavacher discloses searching for the home network at a rate proportional to the cell selection rate. Determining the rate at which to search for the home network, as taught by Keshavacher, is not the same as "... determining *whether* to search for the home network ..." as recited in Claim 1. Further, there is no disclosure in Keshavacher of determining whether to search for the home network by "... comparing network record information associated with the network in which the mobile wireless communications device is operating to reference information" to determine whether to search

for the home network. Claim 1 is thus patentably distinguished over Keshavacher.

#### Allowability of Claim 14

Regarding Claim 14, contrary to the Examiner's assertion, Keshavacher fails to disclose or suggest a

... method in a mobile wireless communications device, the method comprising:  
operating in a network other than a home network of the wireless communications device;  
determining whether to search for the home network when operating in the network other than the home network based on information used to indicate that the wireless communications device is operating in a network other than the network in which the wireless communications device is operating.

Keshavacher discloses searching for the home network at a rate proportional to the cell selection rate. This disclosure in Keshavacher however is not the same as "... determining whether to search for the home network ..." in Claim 14. Further, there is no disclosure in Keshavacher of determining whether to search for the home network "...based on information used to indicate that the wireless communications device is operating in a network other than the network in which the wireless communications device is operating" as in Claim 14. The cell selection rate in Keshavacher is not information used to indicate that the wireless communications device is operating in a network other than the network in which the wireless communications device is operating. Claim 14 and the claims that depend therefrom are thus patentably distinguished over Keshavacher.

### Allowability of Claim 19

Regarding Claim 19, contrary to the Examiner's assertion, Keshavacher fails to disclose or suggest a

- ...method in a mobile wireless communications device, the method comprising:
  - identifying a network in which the wireless communications device is operating;
  - determining network record information based on the network identified;
  - determining whether to search for a home network when roaming based on search information associated with the network record information identified.

Keshavacher discloses searching for the home network at a rate proportional to the cell selection rate. This disclosure in Keshavacher however is not the same as "... determining whether to search for a home network ..." in Claim 19. There is no disclosure in Keshavacher of determining whether to search for the home network "... based on search information associated with the network record information identified" as in Claim 19. Keshavacher does not disclose or suggest "... determining network record information based on the network identified" or determining whether to search for a home network when roaming based on "... search information associated with the network record information identified." Claim 19 and the claims that depend therefrom are thus patentably distinguished over Keshavacher.

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### **Prayer For Relief**

In view of the discussion above, the Claims of the present application are in condition for allowance. Kindly withdraw any rejections and objections and allow this application to issue as a United States Patent without further delay.

Respectfully submitted,

/ R K Bowler /

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